



# Global Security Institute

Presentation

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## **Cooperative Security** Prepared Remarks to the Organization of American States

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I would like to thank the Organization of American States and its Permanent Council and the Committee on Hemispheric Security on hosting this special session. I would particularly like to thank Chairman Javier Sancho-Bonilla, the Permanent Representative of Costa Rica, for hosting this meeting. Costa Rica carries a legacy of peace and security obtained at authentically low levels of armaments that I believe can serve as a model for a sustainable future, a model that the world should try to emulate as much as possible.

Multilateral cooperative security is the foundation of the Organization of American States. Basing such security on the rule of law is its strength. These premises in the areas of arms control, non-proliferation, and disarmament are at risk. The Nuclear Non-proliferation Treaty is being challenged as never before: the failure to seriously negotiate means of addressing threats posed by states leaving the treaty or abusing guarantees of peaceful uses to hide prohibited activities as well as the failure of nuclear weapons states to live up to their disarmament pledges, was recently magnified by the failure of the 2005 NPT Review Conference to even reach a consensus document.

With great power comes great responsibility. Russia and the United States, with 96 percent of the world's approximately 27,000 nuclear weapons, must be challenged to overcome their fundamental dilemma: they want to keep their nuclear weapons indefinitely and at the same time condemn others who would seek to acquire them.

This contradiction undercuts the treaty by enabling those who are insincere in their treaty compliance to ignore recommendations advancing effective non-proliferation.

Moreover, incoherence in policy leads to instability in cooperation. Nothing could be more hazardous today. In order to prevent proliferation to more states, and to dangerous sub-state actors, greater cooperation is required. This will not be obtained if some states flaunt their disarmament obligations yet display only passion for non-proliferation.

Recently, I had the privilege of hearing a former senior Republican member of the United States Congress Jim Leach account that during the entire administration of President Dwight D. Eisenhower, the United States was not on the losing side of any United Nations vote and, indeed, promoted the spirit of coherence and cooperation in international affairs, as a model for bringing stability to the world after the devastation of World War II. He contrasted this history with the fact that, in the last General Assembly of the United Nations, on ten Articles relating to arms control, the United States, my country, was the only vote in opposition to the international consensus.

He cited numerous examples: on the resolution in illicit trade in small arms, the vote was 176 to 1; on practical disarmament measures, 179 to 1; on environmental norms

in disarmament, 175 to 1; on assurances to non-nuclear weapons states, 119-1; on arms trade treaty, 153-1; on preventing an arms race in outer space, 178-1; on telecommunications and international security, 176-1; on disarmament and development, 178-1; on surplus ammunition, 175-1; on the Fourth Assembly Special Session on Disarmament, 175-1. He concluded by stating, “That is, we were the one and only state in opposition to attempts to rein in the arms race.”

He highlighted the background of the Biological Weapons Convention wherein President Nixon established a National Science Foundation commission to study the problems associated with biological weapons research. That Commission concluded that such research in this, the most sophisticated scientific country in the world, was too risky, and recommended the US immediately stop. Subsequently, the US proceeded to lead the world to obtain a treaty, followed by taking the lead in obtaining the Chemical Weapons Convention, which similarly universally seeks to ban an unacceptable risk.

Congressman Leach then said, “In the background of 9/11, it is thus imperative to ask the question whether it was compelling to reject applying tougher verification provisions to the Biological Weapons Convention? Was it compelling to reject a test ban?” And in the wake of the recent Chinese test on satellite destruction, the question must be pondered whether it is not compelling to proceed with trying to stop an arms race in space.

The Treaty of Tlatelolco which we are celebrating represents an implicit answer – cooperative security pursued through the rule of law is far preferable to the incoherence of an *ad hoc* approach to arms control and disarmament.

This *ad hoc* approach leads to strange distortions in policy; it makes shopping in the “red light district” of negative votes in the UN system an affront to a logical and coherent approach to security.

For example, the United States properly condemned North Korea for testing nuclear weapons. However, when the nations of the world voted for a universal, legally verifiable prohibition against nuclear weapons testing at the last General Assembly, only two countries pushed the red light to vote “no”, thus creating an inexplicable union between North Korea and the United States.

Similarly, the United States properly condemned the recent anti-satellite test by China, but, when the issue of preventing an arms race in space arose in the last UN General Assembly, the US alone entered the red light district, casting the singular “no” vote.

Explaining this “no” vote, the US delegate to the General Assembly said, “...there is no arms race in space, and no prospect of an arms race in space. Thus, there is no arms race problem for the international community to address.”

The dismissive assertion was technically correct in October 2006, when the US released its new National Space Policy. While this document does not explicitly mention space weapons programs, it does explicitly reject the development of new legal regimes or other restrictions that seek to prohibit or limit US access or use of space.

However, “Vision for 2020,” the notorious document from the US Space Command, envisions “full-spectrum dominance” to ensure “global precision strike” capability by unlimited US unilateral weaponization of space. When seen in conjunction with “Vision for 2020” and the administration’s funding requests, the US National Space Policy of opposing legal restrictions is tantamount to asserting US unilateral claims to place kinetic kill weapons in space, advance anti-satellite weaponry, and develop and deploy laser weapons while condemning other nations from doing the same. This position is inconsistent with the long-held US value of promoting international security through the rule of law as we do in the Organization of American States.

How is it possible to rely on intelligence that informs our diplomats to blindly declare that “there is no prospect of an arms race in space” while ignoring the reality that other nations will do as we do?

That reality was highlighted on January 11, 2007. China conducted a test in which it shot down a Chinese satellite. This ill-advised endeavor involved tracking the satellite targets precisely, lofting its high-impact kill vehicle at extremely high speeds such that it destroyed its target. It has brought China into a club that has achieved the capacity to weaponize space. Other members of that club – Russia and the United States – have laudably restrained themselves, but that restraint has not been based on the rule of law.

Are we urging a universal ban of weapons and promoting disarmament along the lines of Costa Rica’s domestic policies? Are we urging states to achieve nuclear disarmament this year? In the near term?

Hardly; we are urging more modest steps.

We are urging, with respect to biological weapons and chemical weapons, that strengthened verification and monitoring systems be firmly established. We are urging that a moral condemnation treating nuclear weapons as akin to The Plague become the norm. Nuclear weapons themselves must be understood as a greater problem than any problem we seek to solve.

But we are very aware that walking down the nuclear ladder to a safer world must be done carefully and incrementally, and that those with power have a duty to set an example. What we are urging is that the political currency of nuclear weapons must be lowered. We are urging steps that will enhance security, strengthen fulfillment of existing legal obligations, and provide confidence through verification to the

international community. Each recommendation must stand on its own merits. Each must decrease risks of use, diminish the access of terrorists to catastrophic weapons and materials to build them, and strengthen non-proliferation.

Here are five recommendations for consideration:

#### 1. Fissile Materials Cut-off Treaty (FMCT):

An FMCT would permanently end production of fissile materials for use in weapons. The US Administration proposed an FMCT at the Conference on Disarmament last year. We commend this effort since it sends the message that there is a cap on quantitative proliferation, but, as their proposed treaty lacks a verification mechanism, the efficacy of the treaty is thrown into doubt.

#### 2. Verification

President Reagan was correct, “Trust, but verify.” The Strategic Offensive Reductions Treaty (SORT) requires Russia and the United States each to deploy no more than 2200 strategic warheads by 2012, but includes no provisions for verification. With START inspections ending in 2009, it is imperative to establish a verification system for SORT to have international political meaning. Good will is not politically nor practically sufficient.

#### 3. Reduction of the operational status of nuclear forces:

The United States and Russia still have thousands of warheads on a “use them or lose them” posture. It should be an absolute scandal that, every moment of every day, the two countries remain locked in a Cold War-style nuclear standoff. It is time to end launch on warning. The US and Russia should follow the admonition of candidate George W. Bush who said we “should remove as many weapons as possible from high-alert, hair-trigger status – another unnecessary vestige of the Cold War confrontation. Preparation for quick launch – within minutes after warning of an attack – was the rule during the era of superpower rivalry. But today, for two nations at peace, to keep so many weapons on high alert may create unacceptable risks of accidental or unauthorized launch.” (May 23, 2000).

#### 4. Comprehensive Nuclear-Test-Ban Treaty (CTBT):

The CTBT, if entered into force, would help check the spread of nuclear arms, prevent miniaturization of emerging arsenals and constrain refinement of advanced arsenals, protect the environment, and support a substantial international organizational and technical infrastructure. The US should lead in efforts to get a treaty ratified by all states necessary for its entry-into-force. It was promised in the preamble to the NPT, pledged again in order to gain its extension in 1995, and reaffirmed at the Review in 2000. Its entry-into-force must remain a high priority. It makes sense internationally and, by preventing proliferation, enhances US security interests enormously. A CTBT further sends a message of the diminishing currency of the weapons.

## 5. A diminishing role of nuclear weapons in security policies:

As a minimum first step, we must unambiguously establish negative security assurances. In order to gain the extension of the NPT in 1995, countries without nuclear weapons were promised that if they would accede to the extension they would not be threatened with nuclear strikes. To ask a country to forswear these devices and still suffer under the threat of nuclear attack is so inequitable as to lend credence to critiques of the regime itself. The United States should support, rather than oppose, a treaty giving assurances of the non-use of nuclear weapons against NPT states parties. During the Cold War we justified a first use policy based on the superiority of the USSR's conventional force threat to Western Europe. That threat is gone. It is also time to adopt a no first use policy.

With respect to the Test Ban Treaty, the General Assembly of the OAS in a June 6, 2006 resolution on inter-American support for the Comprehensive Test Ban Treaty lauded the value of the treaty, but no country in the region has exercised the political leverage to fulfill the aspiration of its entry-into-force or, in the near term, ratification by all states in the hemisphere.

Has political currency been spent consistent with Resolution 2 of the consolidation of the regime established in the Treaty of Tlatelolco, also of June 6, 2006, to obtain "commitment to continue striving for a disarmament and non-proliferation regime that is universal, genuine, and nondiscriminatory in every aspect"?

The Declaration of the Conference of Nuclear Weapons Free Zones in Tlatelolco contained very strong language politically calling for progress on disarmament and condemning the threats of nuclear weapons as immoral.

To quote the Declaration:

...Convinced that the existence of nuclear weapons represents a threat to survival of humanity and the only real guarantee against their use or threat of use is their total elimination as a way to achieve a nuclear free world

...Confirming that Article VI of the nuclear Non-Proliferation Treaty establishes the obligation to proceed with and achieve nuclear disarmament

...We reaffirm that the continued existence of nuclear weapons constitutes a threat to all humanity and their use would have catastrophic consequences for life on Earth. Therefore, we believe in the need to move towards the priority objective of nuclear disarmament and to achieve the total elimination and prohibition of nuclear weapons.

...We express our deep concern with strategic security doctrines, which assign a broader role to nuclear weapons, imply intentions to develop new types of nuclear weapons or rationalization for their use as well as to review agreed principles, in particular, the irreversibility of nuclear disarmament.

An in the strongest language possible:

...We reaffirm that the use or threat of use of nuclear weapons represents a breach of international law and the United Nations Charter, and a crime against humanity, and declared in UN General Assembly Resolutions 1563 (XVI), of 24 November 1961; 33/71 B, of 14 December 1978; 34/83 G, of 11 December 1979; 35/152 D of 12 December 1980; and 36/92 I of 9 December of 1981

...We strongly support the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects, under strict and international control

We agree with these sentiments and urge that opportunities to exercise political leverage be taken in this critical time.

The Nuclear Suppliers' Group (NSG) is such a place where political leverage can be utilized. The Nuclear Suppliers' Group gives an opportunity for several countries that are members of the OAS to use their political capital to diminish the perceived currency of nuclear weapons and enhance the non-proliferation regime.

All 45 members of the Nuclear Suppliers Group must approve the US-India civilian nuclear cooperation deal. The NSG require full scope safeguards as a condition of civil nuclear cooperation with a non-nuclear weapon state as defined by the NPT. Presently India has agreed to voluntary safeguards over "civilian" facilities of its choosing without guarantees preventing the diversion of any part of India's existing fissile materials stockpile for weapons purposes.

Nearly every non-nuclear weapon state has remained true to the core NPT bargain, forsworn nuclear weapons, and accepted full-scope safeguards. Why should India get everything it wants at the expense of the non-proliferation regime?

At the least, several non-proliferation concerns should be advanced. There is enormous political pressure to go forward with the India deal. India has very real energy needs and there is competition to fill them. I predict that several players, selling nuclear and technological materials to India, will use this deal to advance their own agendas if the deal is successful.

I believe that it would be politically impractical to stubbornly oppose the deal; however, there are overriding interests in the safety of the planet for our children, and challenging the core bargain of the NPT is risky.

I suggest that the following stipulation be attached as a precondition to the NSG approving the US agreement with India: entry-into-force of the CTBT and entry-into-force of a FMCT with strong means of verification.

I would also urge that in applying Security Council Resolution 1540, we take a lesson from New Zealand. 1540 requires states to take measures to prevent nuclear terrorism, focusing particularly on prohibiting non-state actors from acquiring or using nuclear weapons, and further advances means to control materials and prevent proliferation. New Zealand applies such laws to both state and non-state actors, making it criminal for citizens and government agents to engage in any activities relating to the acquisition, possession, threat, or use of such weapons. This very forward-leaning step reinforces the norm against these horrific devices.

The Treaty of Tlatelolco, and the very premise of the Organization of American States, affirms our capacity to work together to make the world a safer place. As an American, I feel it is my duty to help recalibrate the policies of my country to more effectively comply with those principles. As citizens of the world, we collectively have a duty to advance these principles regardless which countries are honoring them at the moment.

We are all in a sense “down-wind” and in the path of destruction of any catastrophe involving nuclear weapons and we all have a responsibility to future generations regardless of whether we live in a nuclear weapons state or not.

In that spirit and in that regard, I would urge all members to exercise your offices to heighten the pressure on those states with nuclear weapons to make the principles of the Treaty of Tlatelolco universal.

Thank you very much for this opportunity to address you today.